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The Honorable Gregory M. Sleet
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Bldg.
844 N. King St.
Wilmington, DE 19801

FILED ELECTRONICALLY

**RE: U.S. Surety Co. v. M. Miller Trucking, et al. - C.A. 05-675
GMS
Our File # 800-75412**

Dear Judge Sleet:

In response to the Court's Order to Plaintiff U.S. Surety Company to show cause regarding the service of the complaint upon the defendants BBB Trucking, Inc., C-Line, Inc., Gene Hyde Trucking Co., Inc., James E. Ooten of Ocoee Trucking, Service First Transport, Inc., and Trans Link, Inc., the Plaintiff has been unable to effect service on these Defendants and does not intend to seek an extension from the Court to effect service. Therefore, Plaintiff would not be opposed to the Court proceeding as appropriate under Rule 4 as to the above-named defendants.

As to the status, several defendants have contacted us regarding filing claims, and possibly being dismissed from this matter, and we have sent those defendants Stipulations of Dismissal to sign and return if they do not wish to pursue claims against the funds posted with the Court. When we receive those signed Stipulations we will file them with the Court.

Plaintiff intends to file a request for attorneys fees and costs with the U.S. District Court in this matter.

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There has also been an Indemnity Complaint filed in Sussex County state court against the Triglias regarding the bond, and it appears that matter is moving toward settlement.

Please contact me should the Court require anything else from Plaintiff.

Respectfully submitted,

/s/ Donald R. Kinsley
Donald R. Kinsley, Esquire (I.D. No. 3006)
Attorney for U.S. Surety Company